

AMENDED
APPLICATION FOR PERMIT

Serial No. 13321

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAR 17 1950
Returned to applicant for correction _____
Corrected application filed MAY 15 1950

The undersigned Henry McCleary Timber Company
Name of applicant
of Winnemucca (Paradise Valley), County of Humboldt,
State of Nevada, hereby make S application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.) State of Washington, February, 1906

1. The source of the proposed appropriation is Martin Creek and tribu-
Name of stream, lake, or other source
taries.

2. The amount of water applied for is Two Hundred (200) second-feet.
One second-foot equals 40 miners' inches

3. The water to be used for Irrigation and domestic
Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:
NW 1/4 of SW 1/4 Sec. 14, T. 42 N., R. 40 E., M.D.B.&M. where Martin Creek
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
divides into East and West branches. (See note under remarks of 7)

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is 20,000
lies in Tps. 39, 40 & 41, N., Rs. 39
(b) Description of land to be irrigated and 40 E., M.D.B.&M. App. 13320,
13321 and 13322 are all companion applications, intended to supplement
each other as well as to supplement and fill the vested rights of appli-
cant, be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
All or parts of Sections 1, 11, 12, 13, 14, 22, 23, 24, 25, 26, 27, 34, 35 & 36, T.
40 N., R. 39 E., M.D.B.&M. All or parts of Sections 6, 7, 17, 18, 19, 30 & 31,
T. 40 N., R. 40 E., M.D.B.&M. Portion of Section 1, T. 39 N., R. 39 E., M.D.B.&M.
All or parts of Sections 25 & 36, T. 41 N., R. 39 E., M.D.B.&M. All or
parts of Sections 30 & 31, T. 41 N., R. 40 E., M.D.B.&M.

(c) Use will begin about Jan. 1st and end about Dec. 31st of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE
FOLLOWING INFORMATION:

(d) Power to be developed is -- horsepower.

(e) Place of use --
Give location of place of use by legal subdivision

(f) Point of return of water to stream --
Describe in same manner as point of diversion

(g) State number and kinds of animals to be watered --

(h) Use will begin about -- and end about -- of each year.
Month Month

(i) Remarks Applicant has vested rights to certain waters of the source
and limitations water to supply these lands is not always available to fill applic-
ants necessities and rights during the season between April 1st and Oct. 1st each
year. This filing is made in order to take advantage of the flood and normal suppl
also to keep the channels in condition and to supply the underground water table
and hold it at a safe level for crops and pasture. Martin Creek is deemed to be
tributary of Cottonwood Creek through the West branch of Martin Creek where the
waters of the West Branch have heretofore joined Cottonwood Creek.

DESCRIPTION OF PROPOSED WORKS

Concrete, rock and timber diversion dams and headgates of 200 c.f.s.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

capacity. The existing irrigation system of sloughs, ditches and channels

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

of various sizes will be used and enlarged where necessary.

5. Estimated cost of works \$15,000.00 to \$20,000.00

6. Estimated time required to construct works Five years.

7. Remarks The waters of Martin Creek are to be carried through the

For use of applicant

West branch thereof into Cottonwood Creek of which said branch was and

is a tributary and thence diverted as shown on application No. 13320

which is a companion application, and rediverted from Martin Creek

through the existing irrigation system.

HENRY MCCLEARY TIMBER COMPANY, Applicant.

By Frank McCleary

Compared AT-LM

This sheet inspected

Engineer.

Protested July 7, 1950 by Stewart, Bernie, Gondra & Cerri.

Protested July 22, 1950 by Bullhead Cattle Co.

DENIAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application,

deny

and do hereby grant the same, subject to the following limitations and

conditions:

on the grounds that there is no unappropriated water in

the source.

The amount of water to be appropriated shall be limited to the amount

which can be applied to beneficial use, and not to exceed

cubic feet per second.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or

before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial

use must be filed with State Engineer on or before

MAY 15 1950

WITNESS MY HAND AND SEAL this 23rd day

of January, 1951

State Engineer.

13321

ASSIGNED: On Feb. 29, 1952 By Henry McCleary
Timber Co. to Frank McCleary
Cattle Co. Deed Filed Jan. 16,
1953 in 12407.

